

REMARKS

Claims 14, 25 were canceled in a prior paper or this paper. Claims 31-40 are new. Thus, claims 1-13, 15-24, and 26-40 are pending.

I. ISSUES NOT RELATING TO PRIOR ART

A. **Interview.** Applicant thanks the Examiner for the courtesy of a personal interview, which was held on August 29, 2007. The interview participants were Mr. Christopher J. Palermo, the applicant's representative; and Mr. Khanh Q. Dinh, the Examiner. Mr. Palermo presented proposed claim amendments, which appear at pp. 2-13 of this paper. Agreement was reached that the claim amendments would overcome the rejections under 35 U.S.C. §112 and §101. The parties then discussed the proposed claim amendment language "personal server software ... hosted within the end-user computer." Agreement was reached that the claim amendments would overcome Sloan U.S. Pat. No. 5,928,324. The Examiner stated that he would update his search and/or response after the applicant filed a formal amendment.

B. **Claims 1, 8, 9, 13, 18, 19-21, 26-29, 31, 34-36, 38-40—35 U.S.C. §112.** Claims 1, 8, 9, 13, 18, 19-21, 26-29, 31, 34-36, and 38-40 stand rejected under 35 U.S.C. §112 as allegedly lacking antecedent basis for the terms "the client" and "a plurality of ..." The claim amendments herein are free of antecedent basis issues. Claims 26 and 28 are corrected to address a typographical error that resolves the issue with respect to "a plurality of ..." All claims now use the term "end-user computer" rather than "client" and applicants have carefully reviewed the claims to ensure proper antecedent basis. Support for "end-user computer" is found at least in FIG. 2 and the description of end-user computer 104 throughout the specification. Reconsideration is respectfully requested.

C. **Claim 26—35 U.S.C. §101.** Claim 26 stands rejected under 35 U.S.C. §101 as allegedly directed to non-statutory subject matter. Claim 26 now recites “a computer-readable storage medium” and therefore excludes the transmission media, such as carrier waves, of the disclosure. Reconsideration is respectfully requested.

II. ISSUES RELATING TO PRIOR ART

A. **Claims 1-11, 15-24, 26-32, 34-37, 39-40—Reisman, Bergman, Sloan.**

Claims 1-11 and 15-24 and 26-30 stand rejected under 35 U.S.C. 103(a) as allegedly unpatentable over Reisman in view of Bergman and further in view of Sloan et al. U.S. Pat. No. 5,928,324 (“Sloan”), which is newly cited. The rejection is respectfully traversed.

The prior Office actions have never replied to applicant’s arguments with respect to the combination of Reisman and Bergman with any other reference. Even though the Office action ultimately rejects the claims based on a three-reference combination, the Office action actually argues and applies Reisman and Bergman individually, but the Office has never addressed applicant’s three previous traversals of Reisman and Bergman.

Claim 1 and each of the other independent claims recites a method whose steps are carried out by a personal server that executes at the end-user computer. Reisman FIG. 12 shows all servers (136, 132) separated from the end-user computer (local station 122) by the telephone network, ISP, and Internet. Reisman FIG. 6 shows the server separated from the end-user computer by component 14. Indeed, the Reisman server must use a connection protocol to contact the user—clearly indicating separation. Col. 16 of Reisman describes FIG. 6, stating that the user contacts component 14 through a “call connection,” which must occur through a network such as the PSTN. The examples (col. 17, 18) all involve communication through a

network to the server. No reasonable interpretation can find that the Reisman server is “at” the end-user computer.

Claim 1 recites a method that retrieves updated channel content without communicating the channel selection information across the network. Reisman, however, communicates all selection information across the network (col. 15 line 22).

Claim 1 recites a method that synthesizes original, personalized electronic documents from updated channel content from various sources. The Office Action contends that Bergman discloses the claimed synthesis step. While both Applicant’s claims and Bergman use the term “synthesis,” Applicant’s usage refers to a process and method that is distinct from and unrelated to Bergman. In Applicant’s claims, “synthesizing” may refer to combining different channel content from various sources into one or more different electronic documents. In Bergman, however, “synthesis” refers to transformation of formats or “modalities” of a single multimedia content unit into a format suitable for consumption based on the characteristics of the delivery platform and medium (col. 6, lines 15-38 and col. 7 lines 1-25). Bergman does not disclose a method wherein a user may select content from various sources (multiple terminal objects) and have them synthesized together into a single electronic document based on the user’s specification.

Bergman describes a Multimedia Content Description Framework (MCDF), which provides for an InterObject Description Scheme (IODS) that can describe relationships between multiple terminal objects (col. 15 line 5 to col. 20 line 54). However, the MCDF IODS is a *descriptive framework* for describing fixed, pre-existing relationships between terminal objects stored at remote server archives. MCDF does not provide a *constructive method* for an end-user

at the end-user computer to specify novel, arbitrary, and personalized relationships between terminal objects, as reflected in Applicant's claims.

In Bergman, the synthesis process occurs at remote archive, proxy content, and adaptation filter servers (FIG. 1, 2). In Applicant's claims, the synthesis occurs at a personal server that executes at the end-user computer. Furthermore, the claimed method performs updates and synthesis without communicating channel selection information across the network, thereby keeping the channel selection information private. In contrast, Bergman explicitly communicates all synthesis information across the network, thereby making the synthesis information public (col. 5 lines 15-65).

Claim 29 differs from Reisman for the same reasons given above for claim 1. Reisman (at col. 43 and col. 49) shows methods for managing, relocating, coding, and rewriting links embedded in web content, but does not show a page synthesizer that synthesizes one or more original, personalized electronic documents that contain updated channel content from various sources. Reisman col. 55 shows a method for retrieving updated music information, but does not show a page synthesizer that synthesizes one or more original, personalized electronic documents that contain updated channel content from various sources.

The independent claims also each feature "initiating execution, in an end-user computer that is coupled over a public network to one or more content servers, of a personal server that is hosted within the end-user computer; ... wherein the receiving, storing, selecting, retrieving and synthesizing are carried out by a the personal server that executes at the end-user computer."

The Office action relies on Sloan for the quoted feature.

Sloan involves the X-Windows system. In X-Windows systems, "client/server" terminology is reversed from conventional usage. Thus, in an X-Windows reference that

describes "servers" on the user's workstation, the term actually means "client" in the traditional sense, and the server is still on the remote machine that is separated from the user by the network. See, for example, the inventor's published research on this subject:

http://www.usenix.org/events/usenix2000/general/full_papers/wong/wong_html/index.html
(search the text for "terminology"). Another independent reference confirms the reversed nomenclature: http://searchenterpriselinux.techtarget.com/sDefinition/0,290660,sid39_gci213409,00.html

When the meaning in X-Windows of the terms "client" and "server" is considered, Sloan actually teaches away from the invention. As described in the inventor's paper in the Abstract, the X-Windows network protocol is very inefficient, a point echoed by Sloan (col. 1, lines 55-65). In response to this issue, Sloan proposes to move the X-Windows "server" (again, due to reversed terminology this is actually client software) off of the user's workstation, back across the network to the server computer. Therefore, Sloan teaches precisely the opposite of the applicant's claims, which contrary to Sloan moves more server functionality *to* the user's workstation. Accordingly, Sloan does not support the asserted rejection and reinforces the non-obviousness of the pending claims. The Examiner agreed in the interview of August 29, 2007.

Solely to clarify the claims by making explicit what was previously implicit, the present claims use the term "end-user computer" rather than "client." Because the claimed personal server is hosted in the end-user computer, a combination of Sloan with Reisman and Bergman fails to teach or suggest the independent claims. Because of the differences between the independent claims and Reisman, no combination of Reisman with Bergman and Sloan can provide the complete claimed subject matter. Therefore, a *prima facie* case of obviousness is not established. Reconsideration is respectfully requested.

B. Claims 12, 13, 33, 38—Reisman, Bergman, Sloan and Linden.

Claims 12, 13, 33, and 38 stand rejected under 35 U.S.C. 103(a) as allegedly unpatentable over Reisman, Bergman, Sloan, and Linden. The rejection is respectfully traversed.

Linden shows a system where URL links are encoded with an authentication token at a remote server, and are then sent to users via e-mail. When users activate those URL links, they are returned to the remote server where the encoded authentication token in the URL is validated to allow access to a private resource.

Claim 12 recites a method where a content server embeds multiple content tokens (not authentication tokens) into channel content (not URL links). This channel content is received by the end-user computer (not via e-mail), and the tokens are replaced by other channel content or personal content at the end-user computer. The end-user computer does not use these tokens to return to the remote server as in Linden.

Linden, Reisman and Sloan fail to show a personal server executing at the end-user computer. None of Linden, Reisman or Sloan shows an iteration of a replacement step over channel content by a personal server executing at the end-user computer. Reisman teaches away from a combination with Linden. Reisman describes a "transporter [which] automatically effects communication sessions" (Abstract) whereas in Linden, the user must manually access and activate private URLs sent through e-mail. Linden's manual user interaction is precisely what Reisman's invention intends to reduce or eliminate.

The Office Action also relies on Linden FIG. 1, and col. 3, line 31 to col. 4, line 56. Linden's tokens are distinct in function and purpose from the tokens referred to in Claim 12. In Linden, tokens are generated at the server, sent to users via e-mail, and then returned to the server again via a URL. In Claim 12, the tokens are embedded in updated channel content,

which are retrieved by the user, and are never returned to the server. The mere presence of a keyword in a reference does not mean that the reference teaches or suggests the invention.

In Linden, the user does not replace the token. In fact, for Linden's scheme to work, the token must not be replaced, otherwise the validation step will fail. In Claim 12, the tokens embedded in the updated channel content are replaced at the user station with other updated channel content or personal content information located at the end-user computer.

In Linden, the token acts a unique identifier. In Claim 12, the token is not unique, but rather is a placeholder to be replaced by updated channel content or personal content information located at the end-user computer. A token may be embedded multiple times in the updated channel content, and therefore the tokens are not necessarily unique, as they must be in Linden.

In Linden, the token is associated with a user record stored in a database on the server. In Claim 12, the tokens are not associated with any information stored on the server. To the contrary, the tokens in Claim 12 are associated with and refer to updated channel content or personal content information located at the end-user computer.

Bergman includes no discussion of the use of tokens.

Claim 13 recites the same features discussed above for claim 12, and other features, and therefore claim 13 is patentable over the combined references for the same reasons given above for claim 12. Claims 33, 38 are parallel in scope to claims 12, 13 but are expressed in apparatus format. Claims 33, 38 are allowable for the same reasons given above for claims 12, 13.

For at least the foregoing reasons, none of Reisman, Bergman, Sloan or Linden teaches or suggests the independent claims, whether the references are taken alone or in combination. Reconsideration is respectfully requested.

III. CONCLUSIONS & MISCELLANEOUS

For the reasons set forth above, Applicant respectfully submits that all of the pending claims are now in condition for allowance. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application.

A petition for extension of time, to the extent necessary to make this reply timely filed, is hereby made. If applicable, a law firm check for the petition for extension of time fee is enclosed herewith. If any applicable fee is missing or insufficient, throughout the pendency of this application, the Commissioner is hereby authorized to charge any applicable fees and to credit any overpayments to our Deposit Account No. 50-1302.

Respectfully submitted,

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